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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Ryo Ozawa

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EXAMINER

CZEKAJ, DAVID J

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

04/14/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
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Office Action Summary	Application No.		Applicant(s)	
	09/726,558		OZAWA, RYO	
	Examiner		Art Unit	
	DAVID CZEKAJ		2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-10,12 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-10,12 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the rejection(s) of the claim(s) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as set forth below.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-10, 12, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanno et al. (5583566), (hereinafter referred to as "Kanno") in view of Nishikori et al. (5627584), (hereinafter referred to as "Nishikori") in further view of Tsuji et al. (5258834), (hereinafter referred to as "Tsuji").

Regarding claims 1 and 7, Kanno discloses an apparatus for interfacing a medical instrument wherein no cable for transmitting information is required (Kanno: column 4, lines 63-65). This apparatus comprises an "endoscope having a solid state image sensor provided at a distal end, an image signal processing unit that produces a video signal based on the image signals, and a monitor for reproducing and displaying the images" (Kanno: column 7, lines 43-54, wherein the solid state image sensor is the CCD which is located on the tip or

distal end and the signal processing unit is the conversion of the input signal to a video signal). The system further comprises a "scene changing system that changes a scene on the monitor between an endoscope image display scene and a patient data list display scene" (Kanno: figure 32, wherein the user has the ability to change the scene between the endoscope image display or endoscope inspection and the patient data list or patient data management), "storage system that stores patient data forming a patient data list" (Kanno: figure 30A, column 22, lines 49-55, wherein the storage device is the hard disc), "a selection system that selects individual patient data" (Kanno: figure 32, column 23, lines 53-67 – column 24, lines 1-67, wherein the selection system is the program displayed on the screen in figure 32), and a "display control system that displays the individual patient data together with the endoscope image on the monitor when the scene is changed from the patient list to the endoscope image display" (Kanno: figures 24 and 33, wherein the endoscope images are displayed in box 203a). Kanno further discloses an "indicator system that visually indicates patient data to be selected from the patient data list" (Kanno: column 23, lines 47-55, wherein the visual indicator is the mouse), "manual operation system that controls the indication of the patient data to be selected from the list" (Kanno: figure 32, column 23, lines 53-67 – column 24, lines 1-67, wherein the operating system is the program that runs the menu displayed on the screen in figure 32) and a "manual settlement system that manually settles the indication of the patient data to be selected from the patient data list" (column 23, lines 47-55, wherein the

settlement system is the mouse in that the mouse “click” manually settles or selects the appropriate data). Although one of ordinary skill would realize that Kanno’s apparatus would utilize clock signals to transfer data, this apparatus lacks displaying the patient data list on a monitor and the specifics of the clock signals as claimed. Nishikori teaches that prior art endoscope systems make the operating procedure more complex (Nishikori: column 1, lines 48-52). To help alleviate this problem, Nishikori discloses “a patient data list which is displayed on the monitor” (Nishikori: figures 15D, 15F, 15I, and 15J). Tsuji teaches that prior art endoscope systems have a problem of fatigue of visual sensation during observation (Tsuji: column 3, lines 41-53). To help alleviate this problem, Tsuji discloses “a timing controller that provides clock pulses to the processing unit, the timing controller outputting a first series of clock pulses having a first frequency and a second series of clock pulses having a second frequency higher than the first frequency” (Tsuji: column 6, lines 15-17; column 8, lines 5-18) and “the second frequency being higher than the first frequency in order to enable the processing unit to process a larger number of image pixel signals” (Tsuji: column 8, lines 5-18. The first frequency given (16 Hz) is used to only display the image as disclosed in the first embodiment. However, a higher frequency is needed when displaying the image with the patient data since the unit must now process a larger number of pixels). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Kanno, add the patient list display taught by Nishikori, and add the

clock pulses taught by Tsuji in order to obtain an apparatus that produces high quality video images at a lower operating procedure complexity.

Regarding claims 2 and 8, Kanno discloses an “editing system that edits the patient data forming the patient data list” (Kanno: column 25, lines 21-25, wherein the editing system is the patient data management).

Regarding claims 3 and 9, Nishikori discloses “the production of the video signal is performed by the image signal processing unit such that as much patient information as possible is included in the patient data list to be displayed on the monitor when the scene is changed from the endoscope image display to the patient data list display” (Nishikori: figure 15D, wherein the endoscope image display is invoked by pressing the CV-100 button, figure 15I, wherein the screen is shown to occupy the entire screen to display as much information as possible).

Regarding claims 4 and 10, Kanno in view of Tsuji disclose “wherein the timing controller outputs the first series of clock pulses in accordance with a number of image pixel signals obtained from the sensor of an endoscope” (Kanno: column 8, lines 38-59; Tsuji: column 8, lines 5-35).

Regarding claims 6 and 12, Kanno discloses an “editing system that edits the patient data forming the patient list” (Kanno: column 25, lines 21-25, wherein the editing system is the patient data management), and a “determination system that determines whether the editing of the patient data is performed by an editing system after the activation of the manual settlement system, the editing of the patient data being settled by an activation of the manual settlement system when

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the performance of the editing of the patient data is confirmed by the determination system” (Kanno: column 23, lines 47-55, wherein the settlement system is the mouse in that the mouse “click” manually settles or selects the appropriate data. The data will not be edited until the selection is “clicked” or confirmed by the system).

Regarding claim 16, note the examiners rejection for claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CZEKAJ whose telephone number is (571)272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dave Czekaj/
Primary Examiner, Art Unit 2621